

Message Text

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PAGE 01 CAIRO 10353 081203Z
ACTION SY-05

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-----059125 081208Z /21
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FM AMEMBASSY CAIRO
TO SECSTATE WASHDC IMMEDIATE 7757
INFO MSGBN WASH DC

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E.O. 11652: N/A
TAGS: ASEC, MSG
SUBJECT: WALDRON CASE

REFERENCE: STATE 89645

1. RSO HAS DISCUSSED SUBSTANCE REFTEL WITH AMBASSADOR AND VISITING NAVAL INVESTIGATOR WAYNE CRAWFORD. AS RSO HAS PREVIOUSLY REPORTED, DR. TEWFIQ HAS INDICATED RELUCTANCE VISIT US AND OFFERED INSTEAD TO PROVIDE DEPOSITION. IT WILL BE POINTED OUT TO HIM THAT DEPOSITION WILL NOT SUFFICE. WE HAVE NOT PREVIOUSLY DISCUSSED WITH DR. MUSTAFA MATTER OF HIS RETURNING TO TESTIFY. RSO AND CRAWFORD PLAN MEET WITH TEWFIQ AND MUSTAFA ON MONDAY, APRIL 10, AND REVIEW MATTER. LETTER, SIGNED BY ADMINISTRATIVE COUNSELOR, IS ALSO BEING SENT TO PROSECUTOR GENERAL REQUESTING HIS ASSISTANCE IN ENABLING (PERSUADING) TEWFIQ AND MUSTAFA TO GO.

2. EGYPTIAN LAWYER HELMY NO LONGER WORKS FOR EMBASSY. PRESENT EMBASSY LAWYER THABET WILLING TO GO, BUT RSO WAS TOLD LAST NIGHT THAT HELMY PRESENCE WOULD BE PREFERABLE. WE ARE ATTEMPTING CONTACT HELMY TO REQUEST HIS CO-OPERATION.

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3. POLICE OFFICERS, INCLUDING LTC ZAKARIA, WILL ALSO BE CONTACTED. ZAKARIA IS CURRENTLY STILL IN US, BUT IS EXPECTED TO BE BACK IN CAIRO BY TIME TRIAL TAKES PLACE. THIS WOULD MEAN HE WOULD AGAIN HAVE TO RETURN TO US. SINCE NONE OF THESE POLICE OFFICERS CAN TESTIFY WITHOUT OFFICIAL GOE APPROVAL, AMBASSADOR INTENDS SEND LETTER TO MININT NABAWI ASKING THAT HE PERMIT THESE POLICE OFFICERS TO GO

TO US TO TESTIFY.

4. HUSSAN EZZAT'S PRESENCE SHOULD BE NO PROBLEM.

5. ONE DIFFICULTY THAT WE FACE WITH REQUEST CONTAINED REFTTEL IS THAT IT PROVIDES NO INFORMATION AS TO EXACTLY WHEN AND FOR HOW LONG THE EGYPTIAN NATIONAL WITNESSES WILL BE EXPECTED TO BE IN US. EACH HAS HIS OWN DUTIES IN GOE STRUCTURE AND CANNOT BE AWAY INDEFINITELY. IT WOULD BE HELPFUL TO US IN PERSUADING THESE EGYPTIAN OFFICERS TO GO, AND GOE TO MAKE THEM AVAILABLE, IF WE COULD PROVIDE THEM WITH SOME MORE DEFINITIVE INFORMATION ON TIMING AND LENGTH OF THEIR EXPECTED STAY IN US. DEPARTMENT REQUESTED CHECK WITH MARINE CORP ATTORNEYS TO TRY TO GET A FIRMER FIX ON THIS ASPECT.

6. AMBASSADOR ALSO INTENDS SOLICIT AMBASSADOR GHORBAL'S ASSISTANCE IN PERSUADING EGYPTIAN WITNESSES AND GOE TO COOPERATE. EILTS

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